

## REMARKS

The Office Action of December 11, 2002, has been carefully considered.

It is noted that claim 2 is rejected under 35 USC 112, second paragraph.

Claim 2 is also rejected under 35 USC 102(b) over German reference 29 26 549.

In view of the Examiner's rejections of the claims applicant has amended claim 2.

It is respectfully submitted that the claim now on file particularly points out and distinctly claims the subject matter which applicant regards as the invention. Antecedent basis for "the housing" recited on line 3 of claim 2 can be found on line 1 of claim 2.

In view of these considerations it is respectfully submitted that the rejection of claim 2 under 35 USC 112, second paragraph, is overcome and should be withdrawn.

At this time applicant wishes to thank the Examiner for taking the time to meet with the applicant's representative and for the constructive comments made during the meeting.

In response to the Examiner's rejection, applicant has amended independent claim 2 to recite a cap and its structure. The cap is mounted on the second housing part to secure against ignition penetration.

Turning now to the reference, it can be seen that German reference 29 26 549 discloses an explosion protected, pressure-proof solenoid. At the outset applicant wishes to point out that in Figure 1 of this reference there is indicated with the reference numeral 30, and in Figure 2 without a reference numeral, a seal. Such a seal is not permissible in a pressure resistant encapsulation since it may burn and therefore does not secure against ignition penetration, as in the presently claimed invention. Furthermore, the German reference does not disclose the

specific cap construction in combination with the second housing part as recited in claim 2 now on file.

To help understand the disclosure of German reference 29 26 549, applicant has enclosed herewith a translation of the reference.

As can be seen in the third paragraph on page 6 of the German reference and the third paragraph on page 6 of the translation, the terminal box of this reference (indicated with reference numeral 11 in Figure 1) only accommodates components which cannot be the cause of an explosion. Thus, adequate closing off of the terminal box can be achieved with little effort. Therefore, this reference does not even consider the possibility of a resistance to explosion pressure in the terminal box 11. Thus, the reference cannot disclose a second housing part configured to resist explosion pressure as recited in the presently claimed invention.

Applicant has also enclosed herewith European Standard EN 50018. This Standard addresses flame proof enclosures and the Examiner's attention is specifically directed to point 5 on page 7 which addresses flameproof joints. Based upon this standard, the terminal box 11 of German reference 29 26 549 is not a flameproof enclosure, as is the second housing part of the presently claimed invention.

The reference only discloses a casting encapsulation for explosion protection. There is no disclosure of a second housing part configured to resist explosion pressure as in the presently claimed invention.

Furthermore, in the present invention the casting compound in the first part of the housing has an exposed surface which itself forms the wall separating the first housing part from

the second housing part. The German reference clearly discloses a barrier wall 7 which is separate from the casting material.

Thus, it is respectfully submitted that German reference 29 26 549 does not disclose a valve solenoid as recited in the claim presently on file.

In view of these considerations it is respectfully submitted that the rejection of claim 2 under 35 USC 102(b) over the above-discussed reference is overcome and should be withdrawn.

Support for the amendment to claim 2 can be found in the specification in the paragraph beginning on line 1 of page 5.

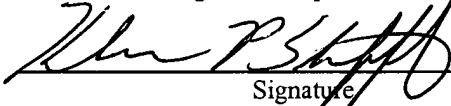
Reconsideration and allowance of the present application are respectfully requested.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 11, 2003:

Klaus P. Stoffel

Name of applicant, assignee or  
Registered Representative

  
Signature

April 11, 2003

Date of Signature

Respectfully submitted,

  
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